United Nations S/2006/218

Security Council

Distr.: General
5 April 2006

Original: English

Monthly report of the Secretary-General on Darfur

I. Introduction

1. The present report is submitted pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of resolution 1564 (2004), paragraph 17 of resolution 1574 (2004) and paragraph 12 of resolution 1590 (2005).

II. Insecurity in Darfur

2. A high level of violence persisted in Darfur during the month of March, with armed clashes reported between conflicting parties, including between different factions of the Sudan Liberation Army (SLA). In Northern Darfur, for example, fighting was reported in Umm Sidir on 11 and 12 February between the Minni Minawi and Abdul Wahid factions of SLA. The SLA humanitarian coordinator, Suleiman Jammous, was detained by the Minawi faction but was later released, partly owing to the intervention of my Special Representative. In addition, a commander from the Abdul Wahid faction was killed and four commanders injured in Hashaba North after an attack by the Minni Minawi faction.

3. Tensions in Southern Darfur remain high and reports of inter-tribal clashes and militia attacks are on the rise. Armed tribesmen allegedly supported by Government forces attacked an SLA camp in Reel, close to Shearia, on 14 February. On the same day, SLA shot down a Government helicopter in nearby Arto, capturing a pilot. Internally displaced persons in Shearia informed the United Nations Mission in the Sudan (UNMIS) in February that they continued to be attacked by militias, with women being raped and killed near the main water points. The situation in Gereida also remains tense. On 16 February, armed tribesmen attacked several villages south-east of Gereida.

4. In Western Darfur, attacks on villages, violence in camps for internally displaced persons, the presence of Chadian armed groups and unabated harassment of populations at the hands of militias have led to further displacement of civilians, including of returnees. In the Jebel Marra area of Western Darfur, recent fighting between the Sudanese Armed Forces and SLA has forced virtually the entire population of the town to flee. Heightened United Nations security restrictions, which have a negative impact on humanitarian access, remain in place in parts of Western Darfur.

06-29493 (E) 070406

5. Banditry continued to be prominent in Southern Darfur and humanitarian and commercial convoys were targeted. In Northern Darfur, humanitarian convoys were subjected to several attacks on the Tawilla-Kabkabiya road.

6. Also in Northern Darfur, Government attacks on villages in the area of Haskanita were reported during the last week of February, forcing many inhabitants to flee their villages. Although casualties could not be confirmed, preliminary reports indicate that many villages have been affected by the fighting.

7. On 31 January, a Government helicopter was spotted in Tine, Northern Darfur, with the inscription "AMIS" on it, and a similar sighting was reported the same day in Zalingei, Western Darfur. On 7 February, shots were fired at a United Nations helicopter in the Jebel Marra area of Western Darfur.

8. During the reporting period, several demonstrations were held in Darfur against the publication in some European newspapers of cartoons of the Prophet Muhammad. On 2 February, students demonstrating in Nyala town threw stones at the compounds and staff of Danish and Norwegian non-governmental organizations. However, the demonstrations in the Sudan were largely peaceful compared to the protests witnessed in other countries.

III. Human rights and protection

9. Civilian populations in Darfur continued to suffer the brunt of the violence. In recent attacks on villages and internally displaced persons' settlements, civilians have been killed or injured while acts of gender-based violence remained all too common. Families have also been separated and many have seen their properties looted.

10. In Northern and Southern Darfur, all of the parties to the conflict have pursued a deliberate strategy of targeting civilians in an effort to stem alleged support for enemy groups. This has provoked further movements of populations, including from the Shearia, Mershing and Gereida areas of Southern Darfur. The increase in abuses and violations perpetrated against civilians has been compounded by the reduced capacity of international actors to contribute to their protection, as increased insecurity has severely curtailed safe access.

11. The African Union Mission in the Sudan (AMIS) has taken a number of initiatives to help protect civilians, such as establishing firewood patrols in the town of Nertiti in Southern Darfur. I welcome these steps and encourage AMIS to take additional measures to effectively prevent and monitor ceasefire violations. This will contribute to the protection of civilians in situations such as those that occurred recently in Mershing, Shearia and Golo.

12. Children continue to be adversely affected by the volatile situation in Darfur and are often the victims of violent crimes, including sexual violence. In the area around Mornei camp in Western Darfur, nine cases of rape of children have been documented in the last two months. These attacks often occur when children are out farming, herding or collecting water and firewood. As many impoverished families rely on their children's labour to survive, it is not unusual for children to be alone and away from their families for much of the day.

13. There are also continuing reports of children being recruited into armed groups. A United Nations mission to Tawilla in Northern Darfur in February, for example, found that most boys over 15 were enlisted into the Abdul Wahid faction of SLA.

14. In February, national security organs continued to obstruct civil society groups in the exercise of their rights to freedom of expression and association. On 13 February, five members of a national non-governmental organization were arrested and subsequently released without charge during a workshop on human rights in Ed Daein town, Southern Darfur. On 20 February, in Western Darfur, the director of the same organization was summoned by national security personnel in Geneina for questioning about the organization's activities and funding sources.

15. From December 2005 to the present, UNMIS has documented six cases of local leaders being arrested for raising concerns about internally displaced persons or providing information to "foreigners". In three of the cases, charges were brought against the leaders in local courts. This has resulted in internally displaced persons being reluctant to share concerns with the international community for fear of reprisals. Harassment and arbitrary arrests of community leaders by police and national security personnel are contributing to a climate of intimidation in Southern and Western Darfur.

16. Civilians who share the same ethnicity as the rebel groups in Darfur continue to be targeted for arbitrary arrest and detention by national security organs. Detainees are arrested on suspicion of supporting the rebels and held for periods of up to five months without formal charge. Detainees interviewed during a visit to Ed Deain prison reported being subjected to torture or threats of torture during interrogation. Fair trial protections, including the right to be informed of criminal charges and to be brought to trial without undue delay, are enshrined as unconditional rights in the Interim National Constitution and cannot be suspended even in times of emergency.

17. My previous report (S/2006/148, para. 10) contained information on the death of a student in Western Darfur as the result of excessive use of force by members of the central reserve police. The alleged perpetrator of that crime is being brought to justice before the new Geneina Criminal Court for Crimes Committed in Darfur. On 15 February, the new Nyala Criminal Court began hearings against two members of border military intelligence for their alleged involvement in the Tama attacks of October 2005, in which 28 civilians were killed. However, I am concerned about the effectiveness of the investigation and prosecution of these alleged crimes since no witnesses have identified the accused as participants in the attack. It is also disappointing that committees established by the Government to investigate attacks in Tiwal (18 December 2005) and Mershing (21-25 January 2006) have so far not yielded any results.

18. Meetings of the Sub-Joint Implementation Mechanism on human rights and protection were held on 1 and 19 February. Issues discussed included the action plan for the elimination of violence against women, the recommendations adopted after the joint delegation visit to Mornei in Western Darfur, and access to detention facilities. With regard to gender-based violence, the Government of National Unity provided an updated list of clinics authorized to provide medical information to be used in criminal proceedings. UNMIS requested a letter from the Government to facilitate its full and unfettered access to detention facilities and a current list of

detainees in the custody of national security organs. UNMIS human rights officers in Southern Darfur have received access to national security detainees. I urge the Government to provide similar access in other regions as well.

IV. Humanitarian situation

19. Humanitarian organizations continue to operate under difficult security conditions, which have a negative impact on the general situation and hamper efficient delivery of assistance. Recent insecurity in Gereida, Mershing and Shearia in Southern Darfur, among other locations, has led to the displacement of tens of thousands of people.

20. Humanitarian access continues to be a major concern in Western Darfur. The area around and to the north of Geneina remain under United Nations security phase four restrictions. Only about 50 per cent of the affected populations in these areas are accessible to United Nations operations, forcing humanitarian organizations to rely on more expensive solutions for the delivery of humanitarian aid, including private contractors and helicopters. The situation is even worse in the Kulbus-Silea area and large parts of Jebel Marra, where there is no humanitarian presence at all, leaving some 300,000 vulnerable people without assistance.

21. Despite these major constraints, the humanitarian situation remains under control for now. As a result of the efforts of the aid community, the population in Darfur continues to be spared major epidemics and overall malnutrition rates remain stable. In January, the World Food Programme (WFP) delivered 36,000 tons of food to 2.1 million beneficiaries. However, WFP stocks in Darfur and supplies now on their way will only meet requirements until mid-April. Shortages of some non-cereal commodities will start at that time, and major pipeline breaks will begin in May, two months before the start of the hunger season.

22. There are some relatively positive indicators with regard to education: in December 2005, over 350,000 children were enrolled in primary school, more than ever before. The health sector, on the other hand, is facing an uphill struggle. The withdrawal of some non-governmental organizations from certain areas in Darfur, owing to insecurity and shortages in funding and staffing, has created a gap in service that needs to be tackled urgently. Access to primary health care has dropped in early 2006 compared to the situation prevailing in the latter part of 2005. The combination of increased insecurity and gaps in funding is affecting other sectors, particularly nutrition and the supply of non-food items, in a similar manner.

V. Darfur peace process

23. Slow progress continues to be made at the inter-Sudanese peace talks on Darfur in Abuja. The security arrangements commission, whose substantive discussions began almost a month after those on power- and wealth-sharing, is engaged in crucial talks that are proceeding at a fairly rapid pace.

24. Despite a slow start, discussions on enhancing the N'Djamena Humanitarian Ceasefire Agreement have touched on major issues such as strengthening the ceasefire mechanisms, protection of civilians and the disengagement, redeployment and disarmament of the main protagonists and their allies. The discussions

culminated on 12 March when the African Union-led mediation presented the parties with a draft enhanced humanitarian ceasefire agreement. The draft agreement builds on the N'Djamena Ceasefire of 8 April 2004 and the Abuja Protocol of 9 November 2004 and strengthens, in particular, the monitoring mechanisms associated with the ceasefire.

25. In the power-sharing commission, although the parties have all but exhausted discussion of the main agenda items, they have been unable to reach agreement on any of them. Among the major questions are whether Darfur should become a region or remain divided into three separate States; the inclusion of a Darfurian representative in the national presidency; the borders of Darfur; and percentages for Darfurian political participation, both at the Khartoum level and in national and local government institutions in general.

26. Regarding wealth-sharing, much has been agreed upon, but a number of issues remain under discussion. Among the outstanding issues are compensation for war victims by the Government (including whether this should be done on an individual or communal basis), and the national revenue to be transferred to Darfur.

VI. United Nations support to the African Union Mission in the Sudan

27. As of 20 March, AMIS had a total of 6,898 personnel in Darfur, comprising 715 military observers, 1,385 civilian police, 27 international civilian staff, 11 Ceasefire Commission personnel and a protection force of 4,760 troops. UNMIS continued to liaise closely with AMIS through regular contacts with the Khartoum-based head of AMIS and AMIS personnel in Darfur, and through periodic meetings between the United Nations Assistance Cell and the African Union Commission in Addis Ababa.

28. In February, the team leader of the United Nations Assistance Cell continued to serve as chief of staff of the Darfur Integrated Task Force. The meetings of the Task Force focused on security, logistics, planning issues and the way forward. The team leader also participated in the discussions on security arrangements at the Abuja peace talks.

VII. Observations

29. The recent escalation of fighting between the parties, together with deliberate attacks on towns, villages and displaced persons' settlements and acts of banditry, has forced thousands more civilians to flee their homes and exposed them to a wide range of abuses. In particular, I am alarmed by the reports of widespread human rights violations committed in Gereida, Mershing and Shearia in Southern Darfur, among other locations, which have led to the displacement of tens of thousands of people. The most serious problems relate to the continuation of attacks by militias on unarmed civilians. According to many African Union reports, these militias receive support from the army. The Government has denied this but the reports persist. The Government must take immediate action to reign in forces over which it has direct or indirect control. Unless these attacks are halted it will be very difficult, if not impossible, to reach a sustainable peace and ceasefire agreement.

30. I deplore the continuing insecurity, call on all parties to stop all attacks on civilian targets, and remind the Government of its unconditional duty to protect its citizens.

31. The violence will only end when the parties make a final and definitive commitment to negotiate a comprehensive peace agreement, rather than pursuing a military solution. In this regard, I welcome the remarks made by senior African Union officials on 12 March, which emphasized that the parties must sign the enhanced ceasefire or force the international community to conclude that they are not serious about making peace. Indeed, the presentation to the parties, by the African Union-led mediation, of a draft enhanced humanitarian ceasefire is a positive development and a critical step in achieving a settlement. At the same time, the parties should move quickly to conclude comprehensive ceasefire arrangements and commit themselves to full and immediate implementation of these agreements.

32. This will require that the parties engage in the talks with a greater spirit of compromise in order to overcome the remaining contentious issues in a timely manner and conclude a comprehensive peace agreement for Darfur without further delay. The fragile relationships within and between the movements, as well as with many of the commanders in the field, continue to pose a challenge to the process. The fractures within the Sudan Liberation Movement/Army in particular, leading to fighting between the two factions on the ground, are very worrisome. The weeks ahead will be critical as the core issues in the security arrangements commission are distilled. It is crucial for the movements to ensure that internal rivalries do not hamper progress at the talks.

33. The international community has a critical role to play during this make-or-break period. International engagement was clear at the series of high-level meetings convened by the European Union in Brussels on 8 March, which included the participation of both the African Union and the Government of the Sudan, and which focused on the importance of mobilizing support for efforts to end the crisis and alleviate suffering in Darfur as soon as possible.

34. Similarly, a group of like-minded States and organizations, by focusing their efforts, could have a considerable impact in promoting a peaceful conclusion to this conflict by supporting and pressuring the parties to engage fully and to honour all commitments.

35. With this in mind and on my behalf, the Under-Secretary-General for Peacekeeping Operations, Jean-Marie Guéhenno, convened a meeting of such a group of member States on 19 March 2006 to discuss the crisis in Darfur and the importance of international support for solutions to the crisis. It is my hope that a mechanism for sustained and cohesive international engagement in the Darfur crisis, including support for the African Union, will emerge from that discussion in the coming days or weeks. I note that the United Kingdom of Great Britain and Northern Ireland has expressed its intention to convene such a group, which will include United Nations participation, and I commend it for the initiative.

36. The violence plaguing Darfur stems in part from local conflicts over area-specific issues and is carried out by militias that are not part of the Abuja process. In addition to a political settlement to be reached in Abuja, community-based reconciliation processes are therefore urgently required to restore a degree of security at the local level and to permit the return of displaced persons to their

villages. These local reconciliation processes should be genuinely inclusive, engaging the participation of representatives of tribes and other local stakeholders freely selected by their respective constituencies. The United Nations stands ready to assist with such efforts, which could be launched even before the conclusion of a political agreement in Abuja. A series of local reconciliation efforts along these lines should pave the way for the wider Darfur-Darfur dialogue to be organized after the conclusion of the Abuja process. A broad and meaningful Darfur-Darfur dialogue was called for by the parties themselves during the fifth round of talks in July 2005.

37. The heightened violence in Western Darfur and the tenuous relationship between Chad and the Sudan continue to impinge negatively on the peace negotiations. While the agreement signed between Chad and the Sudan in Tripoli on 8 February was an encouraging development, much more needs to be done to reinforce this process. The follow-up meeting of the chiefs of general staff and directors of external security of the Sudan and Chad, held in Tripoli on 13 March 2006, requested that AMIS provide security for the observer posts to be established on Sudanese territory as part of the implementation of the Tripoli agreement, as well as medical, food, air transport, communication and training assistance to the observer teams, within the limits of available resources. While these proposals are being considered by the African Union, I urge the Governments of Chad and the Sudan to take concrete steps towards implementing the Tripoli agreement, with a view to normalizing relations and reducing tensions along their common border.

38. The international community and the Sudanese people are at a critical juncture in Darfur. As the people of the region continue to be victimized by violence, it is now more important than ever that every effort be made to protect them. In this context it is critical for AMIS, whose performance has been truly commendable, to be strengthened and receive all the support it needs to effectively fulfil its mandate.

39. In accordance with the Security Council's presidential statement of 3 February 2006 (S/PRST/2006/5) and its resolution 1663 (2006), the United Nations is moving forward expeditiously in preparing plans for a possible transition to a United Nations operation in Darfur. In this regard, I was encouraged by the decision adopted by the African Union Peace and Security Council on 12 January 2006, which supported a transition in principle, and the more recent 10 March decision of the Peace and Security Council reiterating its support, in principle, for transition.

40. At the same time, the Government of the Sudan and some African Union member States continue to have concerns regarding a transition. It will be essential to address these concerns as a matter of urgency and I am taking steps to do so. It is important to point out that those who dwell on the possible presence of non-African troops on Sudanese soil may be deliberately fuelling a misguided understanding of the peace objectives that a United Nations operation would have in Darfur.

41. It should also be underlined that the planning of next steps must be undertaken in partnership with the African Union. I have had extensive discussions on this matter with Alpha Oumar Konaré, Chairperson of the African Union Commission, and it will be important to maintain these close links as we move forward.

42. One critical, practical step in joint planning will be a technical assessment mission to Darfur, which should be a joint African Union/United Nations undertaking. For the assessment to be effective, the team will have to have full and

unrestricted access to the region, to Government officials, local players and to relevant information, in order to complete planning. There will also be a need for this assessment mission to travel to Chad to review the situation on that side of the border, in agreement with the Government of Chad. At some point, bilateral and multilateral donors to AMIS and other stakeholders should be associated with the transition process and planning.

43. In the meantime, stabilizing the humanitarian situation is an important task of the United Nations and its partners in Darfur. Nearly 14,200 dedicated national and international humanitarian workers continue to assist 3.6 million vulnerable people, about half of whom are displaced. These efforts have helped to stave off major epidemics, reduce malnutrition and alleviate the suffering of conflict-affected populations. However, mounting insecurity in Western Darfur has led to a situation where many United Nations humanitarian workers had to be withdrawn, hindering the delivery of life-saving assistance to vulnerable people in several areas. Should the situation deteriorate further, the gains made in 2005 may well be reversed. I therefore strongly appeal to the donor community to continue to support humanitarian efforts in Darfur.